

- o ADNR
- o ADEC
- o ADFG
- o Other State Offices (SPCO, DHSS)
- o Discussion regarding state agency issues
- o Village of Crooked Creek
- o Native Village of Chuathbaluk
- o Native Village of Napaimute
- o Kuskokwim River Watershed Council
- o Discussion regarding tribal and regional cooperator issues

Additional considerations

The agencies are invited to prepare for this scoping meeting in advance by asking the agency resource specialists for input. This will facilitate the agencies' mandates, permitting authorities are invited to provide follow-up written scoping statements to more fully identify issues related to the agencies' mandates, permitting authorities

Also attached, at the suggestion of one of the cooperating agencies, is the Donlin Gold statement of purpose and need, found in Chapter 2 of the Donlin Gold EIS, not the EIS version. URS will be developing a draft chapter 1 Purpose and Need statement for the EIS during the spring. Agencies will have the opportunity to start in the spring, and proceeds through several workshops with the cooperating agencies. The full suite of the proposed action, connected to the project, will be available for the agency scoping meeting.

Agency comments regarding key agency information sources would also be welcome. However, this meeting is not generally intended to evaluate URS Corp's contractor, URS, is compiling data from Donlin Gold and other existing sources and performing a Data Gap Analysis. The draft Data Gap Analysis will be available to the agencies. A full opportunity for agency comments, perhaps in one or more workshops, would come in the spring following circulation of the draft Data Gap Analysis.

URS will take notes on the agency comments during this meeting. The agency scoping comments, in the meeting and in subsequent subsequent meetings, meeting transcripts, comments posted to the website, and other written submissions from the public.

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(See attached file: Donlin Gold Table 7-3 Permits and Authorizations.pdf)(See attached file: Donlin Gold Purpose and Need Statement.pdf)

Personal Notes

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Table 7-3: Permits and Authorizations

Permit Type		Agency	Citation	Activity	Acquisition Time	Notes
Land Use						
1	Federal pipeline grant of ROW and associated temporary use permits	BLM	43 CFR 2880, and the Mineral Leasing Act of 1920; 43 CFR 2800 and the Federal Lands Policy and Management Act	ROW for new pipeline through federal lands.	3 years	Submittal of SF 299 application(s) for ROW(s) initiates the BLM's NEPA process
2	State pipeline ROW lease	DNR SPCO	AS 38.35 11 AAC 80.005	Pipeline ROW lease for a new pipeline on state lands..	3years	.
Discharge into Waters of the US						
3	Preliminary jurisdictional determination	USACE	33 CFR 331.2	To determine the presence of wetlands (waters of the U.S.).	90 days after submittal of Jurisdictional Determination	A Final Jurisdictional Determination is issued after the selected alternative is identified in the ROD.
4	Dredged or fill material	USACE	33 CFR 323 (Section 404 of CWA)	Placement of fill or dredged material into waters of the U.S. (wetlands).	3 years	Submittal of USACE permit application initiates the COE's NEPA process.
5	Dredged or fill material	ADEC	18 AAC 70 (Section 401 of CWA)	Water Quality Certification for a permit for placement of fill or dredged material into waters of the U.S. (wetlands).	3 years	Section 401 would be obtained concurrent with the Section 404 permit.
Permit Applications To Be Submitted During EIS Process						
Navigable Waters and Water Use						
6	Permits For Structures or Work In or Affecting Navigable Waters of The United States	USACE	33 CFR 322 (Section 10 of the Rivers and Harbors Act of 1899)	Authorization for certain structures or work in or affecting navigable waters of the United States, including docks, wharf, piers and other structures.	3 years	Included in Section 404 permit application
7	Construction of dams/ dikes or bridges/causeways in navigable waters	U.S. Coast Guard	33 CFR, Subchapter J Section 9 of the Rivers and Harbors Act of 1899; General Bridge Act of 1946	Construction of any dam or dike in a navigable river or navigable water of the U.S. must be permitted by USACE. Construction of any bridge or causeway in a navigable river or navigable water of the U.S. must be permitted by DOT.	3 years	Included in section 404 permit application
8	State Navigable Waters Determination	DNR	AS 38.05.127	State would make navigable waters determine.		Concurrent with state pipeline ROW lease processing.
Wildlife						
9	Fish passage and habitat protection	ADF&G	AS 16.05.871 (Habitat) AS 16.05.841 (Passage)	Permit is necessary for activities that use, divert, obstruct, pollute, or change natural flow of specified anadromous fish streams. Permit is necessary for activities that use, divert, obstruct, pollute, or change natural flow of non- anadromous fish streams that have resident fish.	90 days	
10	Bald and golden eagles	USFWS	50 CFR 22 Bald and Golden Eagle Protection Act	Any activity that could "take" a bald or golden eagle, their eggs, feathers or nest as defined within the Eagle Protection Act.	N/A	Not a permit - consultation required
11	Migratory birds	USFWS	50 CFR 21 Migratory Bird Treaty Act	Project activities that require consultation regarding effects to migratory bird species.	N/A	Not a permit - consultation required
12	Wildlife protection measures	ADF&G	5AAC92 5, AAC 95.900	Design and construction of pipeline to avoid significant alteration of caribou and other large ungulate movement and migration patterns.	N/A	Not a permit - consultation required under NEPA State ROW Lease would require a Wildlife Interaction Plan

Table 7-3 (Continued): Permits and Authorizations

Permit Type		Agency	Citation	Activity	Acquisition Time	Notes
13	Endangered, Threatened, or Candidate Species	USFWS	50 CFR 402 Section 7 of the ESA	If proposed activity affects species listed under the ESA, obtain agreement with USFWS about scope of studies to determine project's probable effect on Threatened and Endangered Species.	N/A	Not a permit - consultation required under ESA.
14	Essential Fish Habitat (EFH)	NMFS	50 CFR 600 Magnuson-Stevens Act provisions	Federal agencies are required to consult with NMFS on any action that may result in adverse effects to EFH.	N/A	Not a permit - consultation required under NEPA
15	Fish collection	ADF&G	AS 16.05.340(b)	Required of anyone who wants to collect or hold alive any live fish, shellfish, or aquatic plants or their gametes (except gold fish and decorative tropical fish) for purposes of science, education, propagation, or exhibition	30 days	Typically required for field studies
Archaeological						
16	Archeological Resources Protection Act Permit (ARPAP)	BLM	16 USC 470; activities that require cultural resource surveys on federal land.	Activities that require cultural resource surveys on federal land.	30 days	
17	Alaska cultural resource	DNR/SHPO	AS 41.35.080	Permit is required for investigation, excavation, gathering, or removal of any historic, prehistoric, or archaeological resources of the state.	30 days	Typically required for field studies only
18	Section 106 consultation	DNR/SHPO	36 CFR Part 800, National Historic Preservation Act (NHPA)	Any project funded, licensed, permitted, or assisted by the federal or state government.	N/A	Not a permit - consultation required under NEPA
19	Section 106 consultation with State Historic Preservation Office (SHPO)	Tribal entities	36 CFR Part 800, NHPA	Any project funded, licensed, permitted, or assisted by the federal government.	N/A	Not a permit - consultation required under NEPA
20	Preservation of historic, prehistoric, and archaeological resources	DNR/SHPO	AS 41.35.070 (OHA), SHPO, Alaska Historic Preservation Act	Any project located on state lands.	90 days	Concurrence required from OHA and SHPO
Land Use						
21	Casual and temporary Use Permits	BLM	43 USC 1701(FLPMA); Mineral Leasing Act of 1920 Section 28 43 CFR 2920	Project Activities that would require access to or for temporary use of federal lands.		
22	Special area permit	ADF&G DNR	5 AAC 95.420, 5 AAC 95.700-770	Activities, except for lawful hunting, trapping, fishing, viewing, and photography occurring in state game refuges, sanctuaries, critical habitats, state recreation areas, across designated wild and scenic rivers, or through state parks require a special area permit. Use of helicopter or motorized vehicle requires a permit.	90 days	
23	Land use and/or zoning	MSB	MSB Comprehensive Plans and Zoning	Activities occurring within MSB and on MSB lands.	60 days	
24	Land use and/or zoning	KPB	KPB Comprehensive Plans and Zoning	Activities occurring within KPB and on KPB lands.	60 days	
Coastal Zone management Program not applicable at time document was prepared						
Miscellaneous - Consultations, Stipulations, and Requirements						
25	Environmental justice	All federal agencies	Executive Order (EO) 12898	Activities that may disproportionately affect minorities and low-income populations (for example, subsistence).	N/A	Not a permit - consultation required under NEPA
26	Protection of Subsistence Users and Resources	State and Federal	AS 38.35.100	Mitigate impacts to users and resources		
27	Health Impact Assessment	DHSS	Not a State statutory requirement-associated with EIS	Assess potential impacts of the project on health in the general area		Not a permit
28	Wetlands protection consideration	All federal agencies	Executive Order (EO) 11990	Agencies must take action to minimize the destruction, loss, or degradation of wetlands.	N/A	Not a permit - consultation required under NEPA

Table 7-3 (Continued): Permits and Authorizations

	Permit Type	Agency	Citation	Activity	Acquisition Time	Notes
Preconstruction, Construction, and Operation Permits						
Water Use						
29	Floodplain management	All federal agencies	Executive Order (EO) 11988	Agencies must take action to reduce the risk to flood loss; minimize the impact of floods on human safety, health, and welfare; and restore and preserve the beneficial effects served by floodplains.		Not a permit - consultation required under NEPA
30	Permit to appropriate water	DNR	11 AAC 93.040 - 140	Application for water for camp use.		
31	Temporary water use	DNR	11 AAC 93.220	Temporary water use, ice armoring, and pipe testing for period of less than 5 consecutive years.		
32	Fish habitat protection	ADF&G	AS 16.05.871 or AS 16.05.841	Water withdrawal from fish bearing waterbodies.		
33	APDES Construction Stormwater Permit	ADEC	18 AAC 83	Discharge of pollutant from a point source into waters of the U.S. Alaska is fully authorized to administer the EPA's NPDES program. 18 AAC 83.005 – 18 AAC 83.990 implements the Alaska Pollutant Discharge Elimination System (APDES) point source wastewater discharge program in a manner that meets the purposes of AS 46.03 and in accordance with 33 U.S.C. 1342 (Clean Water Act, sec. 402) and the requirements adopted by reference at 18 AAC 83.010.		
34	Non-domestic wastewater disposal	ADEC	18 AAC 72.500-.900	Discharges to land, surface water, or groundwater in Alaska.		
Hazardous Material and Waste						
35	Approval from local landfill operators to deposit non-hazardous solid waste	MSB	MSB regulations	Handling of solid waste at local landfills.		
36	Generator ID number	EPA	40 CFR 262, RCRA, (18 AAC 62.210 adopted by reference)	All companies that treat, store, dispose of, transport, or offer for transport regulated waste must obtain an EPA ID number.		
37	Transportation and disposal of hazardous waste	EPA	40 CFR 262, RCRA (18 AAC 62.210 adopted by reference)	Follow requirements regarding transportation, treatment, and disposal of hazardous waste.		
38	Hazardous chemical inventories	EPA	40 CFR 302, CERCLA, Title III Superfund Amendments and Reauthorization Act	Reporting, planning requirements for facilities that handle, store, and/or manufacture hazardous materials.		
39	Hazardous chemical inventories	Alaska Department of Military Affairs	AS 26.23.073, AS 26.23.077	Reporting, planning requirements for facilities that handle, store, and/or manufacture hazardous materials.		
Wildlife						
40	Public safety	ADF&G	5 AAC 92.033	Permit to take, relocate, haze, or destroy birds or their eggs or nests, mammals or reptiles for public safety purposes.		
Air Quality						
41	Air quality requirements for open burning (vegetation from ROW)	ADEC	18 AAC 50.065 (b)-(f)	General requirements for open burning, also ensure that (1) material is kept dry, (2) noncombustibles are separated, (3) draft is present, (4) combustibles are separated from grass and peat, and (5) combustibles are not allowed to smolder.		
Transportation						
42	Transportation of hazardous materials	ADOT&PF	17 AAC 25.200	Transportation of hazardous materials, hazardous substances, or hazardous waste by vehicle.		
43	Airport operation	Federal Aviation Administration	14CFR139	An Airport Operating Certificate must be obtained to construct, align a new airport, or activate an airport.		This permit may not be applicable for proposed activities

Table 7-3 (Continued): Permits and Authorizations

Permit Type		Agency	Citation	Activity	Acquisition Time	Notes
44	Oversized and overweight vehicles (pipe hauling)	ADOT&PF	17 AAC 25.300	Oversize and overweight vehicle permit.		
Camp						
45	Domestic wastewater discharge permit and plan approval	ADEC	18 AAC 72 11 AAC 83	Permit and plan approval required before domestic wastewater system can be constructed, installed, operated.		
46	Domestic wastewater discharge permit and plan approval	ADEC	18 AAC 72.010, 200, and 215	Permit and plan approval required before domestic wastewater system can be constructed, installed, operated.		
47	Drinking water plan approval	ADEC	18 AAC 80.200	Camps—human consumption.		
48	Food service (camps)	ADEC	18 AAC 31.020	Permit for food service facilities serving 10 or more people per day.		
49	Solid waste management	ADEC	18 AAC 60	Handling of solid waste at camp locations and final disposition.		
Miscellaneous						
50	SPCC	EPA	40 CFR 112 Oil Pollution Prevention	SPCC must be available for review. Discharge of oil from non-transportation-related onshore facilities onto or upon navigable waters of the U.S. Includes interstate and intrastate onshore pipeline systems including pumps and appurtenances as well as inline or breakout storage tanks needed for continuous operation of a pipeline system.		
51	Natural gas pipeline safety	Pipeline and Hazardous Materials Safety Administration	49 CFR 190-192	Transportation of Natural Gas by Pipeline Safety and Reporting Requirements.		
52	OSHA Regulations	ADOL/WD	AS 18.60.180, 8 AAC	Assurance that project related activities meet standards and regulations for occupational health and safety.		
53	Fire Marshall Permit	ADPS	AS 18.70.080, 13 AAC 50.027	Permit and plan approval by State Fire Marshal for construction of facilities		
54	Mineral Material Sales Contract	BLM	Mineral Leasing Act and other applicable laws 43 CFR 3600	Use of gravel, sand and/or rock from sources on federal land.		
55	Material Sale Contract	DNR	AS 38.05	Use of gravel, sand and/or rock from sources on state land.		
56	Land Use Permit	DNR	AS 38.05	Land Use Permit is required for any material batch or processing plant on State land		
57	Fuel Systems	ADPS	2009 IFC	All fuel systems being developed to support port and airport operations during pipeline construction and operations must be reviewed and found to conform with the 2009 International Fire Code (IFC) requirements.		
58	Explosive Storage	ADPS	2009 IFC	Although explosive blasting is not anticipated to be used in the project, if used the storage magazine type, location and any barricade requirements must meet IFC requirements.		
59	Transport of Explosives Permit and License	U.S.BATF		If explosives are used in the project it would require a permit and license from the U.S. Bureau of Alcohol, Tobacco, and Firearms for use and transport.		
60	Letters of Non-objection/Agreement	DNR/Permittee		Letters of non-objection or agreements from ENSTAR Natural Gas Company (ENSTAR), CEA and GCI for the tie-ins to existing authorized facilities will be required (Note: Final authorization for the ENSTAR Beluga Line has not been issued).		
61	Concurrence	DOTPF/DNR/SHPO		Concurrence needed for segments of project that potentially affect the Iditarod National Historical Trail.		
62	Right-of-Way	DNR/BLM/ private land owners		Authorizations/agreement to install fiber optic cable and construct repeater station		
63		DOTPF/ FAA		DOTPF/FAA concurrence would be required at public airstrips		

Table 7-3 (Continued): Permits and Authorizations

NOTES:

ADEC = Alaska Department of Environmental Conservation

ADF&G = Alaska Department of Fish and Game

DNR = Alaska Department of Natural Resources

ADOLWD = Alaska Department of Labor and Workforce Development

ADOT& PF = Alaska Department of Transportation and Public Facilities

ADPS = Alaska Department of Public Safety

APDES = Alaska Pollutant Discharge Elimination System

AS = *Alaska Statute*

BLM = U.S. Department of Interior, Bureau of Land Management

CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act of 1980

CFR = *Code of Federal Regulations*

CWA = Clean Water Act

DOT = U.S. Department of Transportation

EFH = Essential Fish Habitat

EIS = environmental impact statement

EO = Executive Order

EPA = U.S. Environmental Protection Agency

ESA = Endangered Species Act

ID = identification

KPB = Kenai Peninsula Borough

LOA = Letter of Authorization

ODPCP = Oil Discharge Prevention and Contingency Plan

MMPA = Marine Mammal Protection Act

MSB = Matanuska-Susitna Borough

N/A = not applicable

NEPA = National Environmental Policy Act

NHPA = National Historic Preservation Act

NMFS = National Marine Fisheries Service

OHA = Alaska Office of History and Archaeology

RCRA = Resource Conservation and Recovery Act

ROD = record of decision

ROW = right-of-way

SHPO = State Historic Preservation Office

SPCC = spill prevention control and countermeasure plan

USACE = U.S. Army Corps of Engineers

USFWS = U.S. Fish and Wildlife Service

2.0 PURPOSE AND NEED

2.1 Purpose

The purpose of the Donlin Gold Natural Gas Pipeline Project is to provide a long-term, stable supply of natural gas to meet energy needs for the proposed Donlin Gold mine project. The proposed pipeline is designed as a privately owned facility to support the proposed mine operation. Natural gas supplied by the pipeline would be used to create electricity for the facility, operations, and heat for buildings. The use of natural gas supplied via the proposed pipeline project has been evaluated and determined to be the most practicable cost effective and environmentally acceptable means of providing a reliable long-term energy source for the proposed Donlin Gold mine project.

2.2 Need

The mine site is remote and without existing or readily developable resources that can serve as an energy supply within the timeframe needed for development of the mine. The location of the proposed mine project does not currently have adequate, naturally occurring gas resources to create sufficient energy supply for mine operations. No other energy sources or supplies of the magnitude necessary for mine operations are present or likely to be developed in proximity to the mine site or otherwise available in a timeframe needed for development of the mine. No existing transportation or utility infrastructure services the proposed mine site or surrounding area. Access to the mine site is seasonal via the Kuskokwim River or by aircraft, as weather conditions allow. Therefore, the natural gas pipeline is needed to bring in a stable and reliable source of energy sufficient for mine operations.

2.3 Background and Proposed Mine Information

The proposed Donlin Gold mine that would be served by the pipeline is a large, undeveloped, refractory gold deposit located approximately 10 miles (16 km) north of the village of Crooked Creek on the Kuskokwim River and about 277 air miles (446 km) northwest of Anchorage. The deposit is situated on Native lands owned by the Kuskokwim Corporation (TKC) the surface estate and Calista Corporation (Calista) the surface and subsurface estate.

Placer gold was first discovered at Snow Gulch, a tributary of Donlin Creek in 1909. Resource Associates of Alaska (RAA) carried out a regional evaluation for Calista in 1974 to 1975, identifying mineral potential in the area. Calista conducted prospecting and limited exploration activities in 1984. The first substantial exploration program was carried out by Westgold in 1988 to 1989. Teck operated the project briefly in 1993. Placer Dome U.S. (PDUS) explored the property from 1995 to 2000, formed the Donlin Creek Joint Venture (DCJV) with NovaGold as operator in 2001, and then reassumed management of the DCJV as operator in February 2003. Barrick Gold merged with Placer Dome in 2006 and acquired the PDUS interest in the DCJV. In December 2007 Donlin Creek LLC was formed as a

limited liability company with 50/50 ownership by Barrick Gold U.S. and NovaGold Resources Alaska, Inc. In 2011, Donlin Creek LLC changed its name to Donlin Gold LLC.

Donlin Gold is proposing the development of an open pit, hardrock gold mine. The proposed project would require three to four years to construct, with the active mine life currently projected to be approximately 27.5 years. The mine is proposed to be a year-round, conventional "truck and shovel" operation using both bulk and selective mining methods.

Electric power would be supplied by onsite generation.

General cargo for operations would be transported from terminals in Seattle, Vancouver, BC or Dutch Harbor via marine barge to Bethel. At Bethel, it is expected that the cargo would be transferred to the dock for temporary storage or loaded directly onto river barges for transport up the Kuskokwim River to a port constructed at Jungjuk Creek. A 30 mile (48 km) all-season access road would be constructed from the proposed Jungjuk Port to the mine site.

Fuel would be transported to Dutch Harbor by tanker, then to Bethel via marine barge. At Bethel fuel would either be transferred directly to double-hull river barges, or off-loaded for temporary storage. From Jungjuk Port fuel would be transferred to the mine site fuel storage facility via tank trucks.

The proposed mine project would be a camp operation also accessible by a 5,000 foot (1,524 m) gravel airstrip, with a camp capable of housing 638 workers.

The proposed pipeline would serve as an alternative to diesel power generation, reduce port facility storage needs and reduce the amount of diesel fuel required for operational purposes to a projected annual requirement of approximately 40,000,000 gallons (151,455,000 L).

2.4 Expected Public Benefits

The pipeline route and mine are located in areas that provide few long term employment opportunities. Good jobs, services, and health care are hard to obtain in the small, isolated, rural communities, resulting in gradual attrition of people to larger communities. With the exception of the jobs created by a few small businesses that provide services to the local communities, regular, full-time jobs are in high demand. Job opportunities currently are limited primarily to the government or social organization sector.

Economic benefits from the proposed pipeline include excise tax revenues from its operation. In addition, it would create short- and long-term employment opportunities. Camp support and construction labor (skilled and unskilled) would be needed during pipeline construction. Pipeline operation and maintenance would be ongoing throughout the 30-year or greater use life of the pipeline. Mine development and operation that are supported by the pipeline represent greater employment opportunities and revenue stream for the local communities.

The use of natural gas as a stable reliable fuel source for heating and power generation potentially reduce the project's impacts as opposed to diesel. Additionally, providing a means for a reliable natural gas fuel source to the proposed Donlin Gold mine project may create opportunities for further development of natural gas use beyond that of the Donlin Gold project.